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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/601,722

06/23/2003

David Francis Fleming

17919 (20958-01027)

8749

7590

09/23/2005

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EXAMINER

NASRI, JAVAID H

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/601,722

Applicant(s)

FLEMING ET AL.

Examiner

Javaid Nasri

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7,9-13,15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-13,15 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7, 9-13, 15 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson et al (2,947,964).

Johnson et al discloses, **for claim 1**, a body (see figure 2) with a top surface, a bottom surface, and side edges (see figure 2), the body including opposing retention fingers (18) formed integral with the body, and having respective distal ends (18), each of the retention fingers adapted to secure the body to a single surface of an insulative carrier (10) when the pair of retention fingers are inserted through the carrier (see col. 2, lines 52-55), wherein the distal ends of the retention fingers face away from one another when secured to the carrier (see figure 2, see note below), **for claims 2 and 12**, wire retainer (43, 44) joined to said body and axially extending from the body, the wire retainer configured to receive a wire along an axis of the body (axis are not defined in the claims), **for claims 3 and 13**, mating portion (see figure 10), **for claim 4**, faston type mating portion, **for claim 5**, lances extending perpendicular to a surface of the carrier, **for claim 6**, the carrier includes a first surface and a second surface and first and second holes (36) extending there between, each of the holes receiving a respective one of the opposing retention fingers, **for claim 7**, the retention fingers are stamped from the body and bent to engage the

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single surface of the carrier, **for claim 9**, the retention fingers are arcuate and only the distal ends (18) of the retention fingers contacts are in contact with the single surface of the carrier (see figure 2), **for claim 10**, the retention fingers are bent to engage the single surface of the carrier after being inserted through the carrier, **for claim 11**, at least one contact having a body (37) with a top surface, a bottom surface, and side edges, the body including at least a pair of lances (45, 46) formed integrally from an interior of the body, the lances configured to secure the body to an insulative carrier (35), the carrier including a first surface and a second surface, the bottom surface of the body provided on the first surface of the carrier wherein the lances are crimped in a staple like manner to the second surface (see figure 10), **for claim 15**, the lances are stamped from the body in faced relation with each other, the lances are bent substantially perpendicular to the bottom surface, **for claim 16**, the carrier has at least a pair of holes (36) from the first surface to the second surface, each of the lances extend through one of the holes to engage the second surface of the carrier (see figure 10).

Note: USPTO interprets claims, giving claims their “broadest reasonable interpretation.”

(see, e.g., *In re Morris*, 127 F.3d 1048, 1054-55 (Fed. Cir. 1997)).

### ***Response to Arguments***

3. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Regarding applicant's comments:

- a) Regarding claim 1, figure 2 discloses the distal ends of the retention fingers faces away of each other.

- b) Regarding claims 2 and 12, element 43 of Johanson et al does not extend axially from the connector. It should be noted that in the claims the orientation of the axis is not defined.
- c) Regarding claims 7 and 11, the retention fingers are from an interior of the connector (see figure 5, part 17 is within the periphery, see note below).
- d) Regarding claim 9, figure 2 clearly shows the retention fingers are arcuate.

Note: USPTO interprets claims, giving claims their “broadest reasonable interpretation.”

(see, e.g., *In re Morris*, 127 F.3d 1048, 1054-55 (Fed. Cir. 1997)).

### *Conclusion*

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

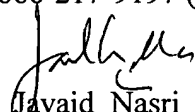
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**Contact**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javaid Nasri whose telephone number is 571 272 2095. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas C. Patel can be reached on 571 272 2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Javaid Nasri  
Primary Examiner  
Art Unit 2839

JN  
Jhn  
April 19, 2005